

# **GREAT LAKES FIREWORKS, LLC**

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November 2, 2011

Dear Senators,

I wish to express my opposition to House Bill 4293. My concerns are the high fees for a permanent and non-permanent structure. Also, my biggest opposition comes as a result of the \$10 million liability insurance requirement. It is my understanding that this will be the highest limit in the country by \$8 million. The cost of this high limit policy is very restrictive to any small business especially those that would sell out of a non-permanent structure.

I will support the bill if the fees and insurance requirements are brought in line with the surrounding states requirements. This will allow Michigan retailers to fairly compete with the surrounding states and generate the income expected by the passage of this bill.

Thank you for your understanding.

Sincerely,

Barry J. Beltz

Member

Benjamin S. Fortin  
2334 North Smith Street  
Sanford, MI 48657

Wednesday, November 02, 2011

Senate Committee on Regulatory Reform  
Lansing, MI

Subject: HB 4293

Dear Honorable Senators:

I am a fireworks hobbyist from Mid-Michigan and I write you today to voice my concern and urge you to consider changes to HB 4293, a bill to legalize consumer fireworks in the state of Michigan. Though I support the legalization of consumer fireworks in the state, the current bill has a serious flaw that would hinder the ability of small "mom and pop" fireworks dealers in the state. This bill states "each retail location selling consumer fireworks either shall be added as an additional insured, or public liability and product liability insurance coverage shall be obtained and maintained, in an amount not less than \$10,000,000.00 per occurrence." Though this section may seem like a good idea I assure you the 10 million dollar insurance requirement is far too stringent and costly. This requirement would make it impossible for most small businesses and individuals to sell fireworks in Michigan. The only individuals who could possibly comply with this requirement are major corporations that could spend the tens of thousands of dollars for the insurance.

Fireworks are typically sold mostly in tents, temporary buildings and for short periods of time; the reason is that these are individuals who have other jobs and sell fireworks during the season. The vast majority of people in this industry do not make this a full time career; rather they sell because they are interested in making some extra money and providing this service to the people. In addition, this bill is designed to generate tax revenue for the state and I do not believe it can do this is only a few people can afford to sell in the state. Thus, for this reason I must oppose this legislation as written, though it is not easy for me to do so as I believe the current bill is outdated, unfair and unnecessary; this language simply gives me no choice.

Honorable Senators, I implore you to amend this bill to make it small business friendly and to pass it to provide citizens of Michigan the opportunity to celebrate the Fourth of July with fireworks.

Sincerely,

Benjamin S. Fortin  
Michigan Fireworks Hobbyist

## Scott Jones

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**From:** Wally <wmaslow@wildblue.net>  
**Sent:** Wednesday, November 02, 2011 12:55 PM  
**To:** Scott Jones  
**Subject:** Testimony on HB4293

HB4293

I would like to submit the following testimony in lieu of attending the hearing on Thursday, 11/3/2011 at 12:30pm. Thank You.

I am in favor of this bill, with one exception. The ten million dollar liability insurance policy may not be available to many small businesses. It is my understanding the rest of the nation requires one million, except Pennsylvania, which requires two million. The only retailers which could justify a high premium would be those along a heavily traveled freeway. Legalizing fireworks, without providing local sales outlets, will send even more people across state lines and not provide Michigan with the income this bill was intended to do. A large firework supplier in Michigan claims they will provide insurance to firework retailers by adding them as "additional insured" for \$500.00 for a two week sales period. This means the seller can only sell their product. Everything this company sells has their brand name on it. This would not allow for a variety of firework manufacturers and it would be a restriction of free trade. It would be the same as; going to Kroger and they only had Kroger brand products on their shelf.

I feel by lowering the insurance requirement to be in line with other states, would allow more small Michigan businesses to provide fireworks locally. The customer can sign a form stating they wouldn't hold the retailer responsible for their own actions.

Most of the language in this version of the bill is very good. Although, I would also like to see the licensing fees lowered.

Thank you.  
Wally Maslowsky  
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